

Beach shack gets liquor license

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Diners at Duxbury Beach Park this summer will now be able to have a beer with their fried clams, however, it will be under the watchful eye of a police officer for the first month.

Monday, the Board of Selectmen granted a seasonal wine and malt liquor license to Dana Battista, who has run

the Duxbury Beach Park bathhouse and snack shack for the past nine years. For six years, Battista has been serving dinner on weekends.

Due to concerns of Gurnet Road area neighbors about increased traffic and possible drunk driving on their streets, selectmen issued the license with the condition that Battista

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hire a police detail for the first month. The board and the police chief will then review the operation and decide whether the detail should be continued.

Battista requested the liquor license for Thursday through Sunday nights from 5-9 p.m. for diners in the screened porch restaurant area. He said he would not serve alcohol to anyone who did not purchase food and that the last dinner seating is at 8 p.m.

"There is no bar," said Battista. "You need to have dinner with your drink."

Acting Duxbury Police Chief Stephen Doherty suggested the month of police details.

"Introducing alcohol into a resort area changes the tenor of the area," said Doherty. "You will get a different clientele."

IN OTHER BUSINESS, SELECTMEN:

- Granted an all alcohol liquor license to Bramblebush Eats, Ltd., owned by Larry Friedman, for the Sun Tavern. Selectmen had to issue a new license because they could not transfer the existing license for the Congress Street restaurant as it expired at the end of last year. Friedman hopes to open by mid-March.
- Allowed Verizon to install a new utility pole at 237 Washington Street.
- Granted a one-day liquor license to the Duxbury Art Association for their Winter Juried Show reception on Feb. 6 at the Art Complex Museum.
- Decided they may pull an article from the Town Meeting warrant that seeks to prohibit town employees from making charitable solicitations. Selectmen felt this could be better dealt with as an administrative policy and they instructed Town Manager Richard MacDonald to create one and get back to them.
- Discussed deleting another article from the town meeting warrant. This one involves dissolving the Duxbury Youth Commission. Selectmen feel this committee is no longer necessary as the Student Union is now set up to handle youth affairs. However, neither selectmen or town meeting can get rid of the youth commission because was created by Town Meeting when it adopted a state law that allowed it to be set up. It would take an act of the state legislature to dissolve the youth commission and selectmen don't want to pursue this at the state level.

He added that the last place that served alcohol near the beach had a "robust disturbance history." He was talking about the Ranch House bar and dance hall on Canal Street Marshfield, which is currently closed and for sale.

In 2005, then-police chief Mark DeLuca opposed a liquor license for Duxbury Beach Park.

Doherty worried about how Battista planned to prevent patrons from taking alcohol on to the beach, which is illegal.

Battista said he promised to make sure no alcohol ends up on the beach.

"There is no alcohol allowed outside the building," said Battista. "It's served on the premises. You can't bring it to the beach. We will actively police that."

Gurnet Road resident John Mann said granting a liquor license to Battista was like "closing the barn door after the horse has gone out," because he claimed there has been an unofficial bring-your-own-beer policy at Duxbury Beach Park during dinner for the past few years.

"Mr. Battista has been in violation of allowing people to drink alcohol there," said Mann. "There has long been a known BYOB policy."

Mann said he and the Duxbury Beach Residents Association, which represents 90 families, were opposed to the liquor license.

"We don't have the infrastructure on Gurnet Road to

meet the increase in traffic or deal with erratic drivers," said Mann, adding that the cones placed on crosswalks on Gurnet Road are destroyed annually by beach traffic.

Battista said that "98 percent" of people who come to dinner at his restaurant get there by coming over the Powder Point Bridge and not via Gurnet Road. He said he has never had any issues that required the police and that there were no OUIs on Gurnet Road in the years he had been serving dinner.

Selectmen Chairman Betsy Sullivan said granting the license was a way for Battista to better control the consumption of alcohol at the property.

Selectman Chris Donato said he favored the idea but could not support it unless the residents backed it. Mann said he approved of the police detail.

Owners of the beach, the Duxbury Beach Reservation, Inc., voted to support Battista's request for the liquor license. The Reservation contracts with Battista to run the bathhouse.

The town's Beach Committee also voted to support the liquor license.

However, Harbormaster Don Beers was concerned about the security of the liquor at the restaurant. Battista said he lives above the bathhouse and that this should not be an issue.

Selectmen agreed to review Battista's liquor license

after the month of police details and said that if there were problems, they could modify or rescind the license.

Battista said the weekend dinners will begin after Father's Day in June.